

### **DETAILED ACTION**

Receipt is acknowledged of the amendment, revocation of power of attorney and IDS filed 04/21/2011.

The objection to the Abstract is withdrawn in view of applicant's submission of a proper Abstract.

However, the claims still refer to subject matter which was not indicated as allowable subject matter;

Claims 68-88 are objected to because of the following informalities: They refer to species not indicated as allowable. Appropriate correction is required.

Cancellation of non-elected claim 62 has been noted. However, the claims still contain other species not searched as part of the invention. As such, Applicant should delete the non-elected species from claims 68-70, 86-87, making des-methyl tocopherol the first bioactive.

### ***Conclusion***

Amendment of the claims to set out des-methyl tocopherol as the bioactive would place the application in condition for allowance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARLOS AZPURU whose telephone number is (571)272-0588. The examiner can normally be reached on Tu-Fri, 6:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fereydoun G. Sajjadi can be reached on (571) 272-3311. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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